Case 06-10725-gwz Doc 640 Entered 06/13/06 17:24:07 Page 1 of 8 **ELECTRONICALLY FILED** June 13, 2006 1 STUTMAN, TREISTER & GLATT, P.C. SHEA & CARLYON, LTD. FRANK A. MEROLA JAMES PATRICK SHEA (CA State Bar No. 136934 (Nevada State Bar No. 000405) EVE H. KARASIK CANDACE C. CARLYON 3 (CA State Bar No. 155356) Nevada State Bar No. 002666) CHRISTINE M. PAJAK SHLOMO S. SHERMAN 4 (CA State Bar No. 217173), Members of (Nevada State Bar No. 009688 Stutman, Treister & Glatt P.C. 233 South Fourth Street, Second Floor 5 1901 Avenue of the Stars, 12th Floor Las Vegas, Nevada 89101 Los Angeles, California 90067 Telephone: (702) 471-7432 6 Telephone: (310) 228-5600 Facsimile: (702) 471-7435 Facsimile: (310) 228-5788 7 fmerola@stutman.com Email: Email: jshea@sheacarlyon.com ekarasik@stutman.com ccarlyon@sheacarlyon.com 8 cpajak@stutman.com ssherman@sheacarlyon.com 9 Counsel for the Official Committee Of Equity Security Holders Of USA Capital First Trust 10 Deed Fund, LLC 11 UNITED STATES BANKRUPTCY COURT 12 DISTRICT OF NEVADA BK-S-06-10725-LBR 13 In re: Chapter 11 USA COMMERCIAL MORTGAGE COMPANY, 14 Debtor. In re: 15 BK-S-06-10726-LBR USA CAPITAL REALTY ADVISORS, LLC, Chapter 11 16 Debtor. In re: BK-S-06-10727-LBR 17 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, Chapter 11 Debtor. 18 In re: BK-S-06-10728-LBR USA CAPITAL FIRST TRUST DEED FUND, LLC, 19 Chapter 11 Debtor. 20 In re: BK-S-06-10729-LBR USA SECURITIES, LLC, Chapter 11 21 Debtor. Affects 22 23 All Debtors Date: June 15, 2006 Time: 10:00 a.m. USA Commercial Mortgage Co. 24 Place: Courtroom #1 USA Securities, LLC USA Capital Realty Advisors, LLC 25 USA Capital Diversified Trust Deed 26 USA First Trust Deed Fund, LLC SUPPLEMENTAL CERTIFICATE OF SERVICE RE: NOTICE OF ENTRY OF ORDER SHORTENING 27 TIME ON JOINT MOTION OF OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC, ETC., ET AL, PURSUANT TO 11 U.S.C. §§ 105(a), 107(b). 28 1102(b)(3)(A) and 1103(c), FOR NUNC PRO TUNC ORDER CLARIFYING REQUIREMENT TO PROVIDE ACCESS TO INFORMATION (AFFECTS ALL DEBTORS) 396448v1

1	I HEREBY CERTIFY that on the 9TH day of JUNE, 2006, I served the following
2	document:
3	SUPPLEMENTAL CERTIFICATE OF SERVICE RE NOTICE OF ENTRY OF ORDER SHORTENING TIME ON JOINT MOTION OF OFFICIAL COMMITTEE OF EQUITY
4	SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC, THE
5	OFFICIAL COMMITTEE OF HOLDERS OF EXECUTORY CONTRACT RIGHTS THROUGH USA COMMERCIAL MORTGAGE COMPANY, THE OFFICIAL
6	COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC, AND THE OFFICIAL UNSECURED CREDITORS'
7	COMMITTEE FOR USA COMMERCIAL MORTGAGE COMPANY PURSUANT TO 11 U.S.C. §§ 105(a), 107(b), 1102(b)(3)(A) AND 1103(c), FOR ORDER CLARIFYING
8	REQUIREMENT TO PROVIDE ACCESS TO INFORMATION (AFFECTS ALL
9	DEBTORS)
10	I served the above named document(s) by the following means to the persons as listed
11	below:
12	☐ a. ECF System.
13	
14	Rider
15	_ c. Personal service.
16	I personally delivered the documents to the persons at these addresses:
17	For a party represented by an attorney, delivery was made by handing the
18	document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge, by leaving the document(s) in a conspicuous
19	place in the office.
20	For a party, delivery was made by handing the document(s) to the party or
21	by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.
22	
23	d. By direct email.
24	Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email
25	addresses listed below. I did not receive, within a reasonable time after the
26	transmission, any electronic message or other indication that the transmission was unsuccessful.
27	
28	

2

	Case 06-10725-gwz Doc 640 Entered 06/13/06 17:24:07 Page 3 of 8
1	☐ e. By fax transmission.
2	Based upon the written agreement of the parties to accept serve by fax
3	transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.
4	_
5	f. By messenger.
6 7	I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger
8	for service.
9	I declare under penalty of perjury that the foregoing is true and correct.
10	DATED this 13th day of JUNE, 2006.
11	Joanne E. Metises
12	Joanne C. Metcalf, an employee
13	of STUTMAN, TREISTER & GLATT PROFESSIONAL CORPORATION.
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
	396448v1 3

USA Commercial Mortgage Company Service List 5870-000 Doc. No. 390939

Debtors USA Commercial Mortgage Co., et al. Attn: Thomas J. Allison 4484 South Pecos Road Las Vegas, NV 89121

Office of the U.S. Trustee 300 Las Vegas Blvd. South Suite 4300 Las Vegas, NV 89101

Dell Bunch dba Loan Partners Capital Attn: Donald R. Walker 9209 Eagle Hills Drive Las Vegas, NV 89134-6109

Annee Nounna 8057 Lands End Court Las Vegas, NV 89117-7635

USA CAPITAL REALTY ADVISORS, LLC UNSECURED CREDITORS

USA SECURITIES, LLC UNSECURED CREDITORS

Tim Rich c/o Financial West Group 4510 E. Thousand Oaks Blvd. Thousand Oaks, CA 91362

Katz 2000 Separate Property Trust Sara M. Katz, Managing Trustee 4250 Executive Square, #670 San Diego, CA 92037

Frank Weinman 2947 Pinehurst Drive Las Vegas, NV 89109 Attys for Debtors Annette W. Jarvis Ray Quinney & Nebeker P.C. 36 So. State Street, Suite 1400 P.O. Box 45385 Salt Lake City, UT 84145-0385

USA COMMERCIAL MORTGAGE COMPANY UNSECURED CREDITORS' COMMITTEE

Russell Ad Development Group, LLC P.O. BOX 28216 Scottsdale, AZ 85255

Advanced Information System Attn: Michael T. Yoder 4270 Cameron St., Suite 1 Las Vegas, NV 89103

Kummer, Kampfer, Bonner & Renshaw 3800 Howard Hughes Pkwy. 7th Floor Las Vegas, NV 89109

James Hull c/o Signature Financial 2601 Airport Drive Torrance, CA 90505

USA CAPITAL DIVERSIFIED TRUST DEED FUND 20 LARGEST EQUITY INTERESTS

Thomas C. Lawyer Family Trust Atn: Thomas C. Lawyer 45 Ventana Canyon Dr. Las Vegas, NV 89113

Charles O. Nichols and Flora A. Nichols 2561 Seascape Drive Las Vegas, NV 89128 Attys for Debtors Lenard E. Schwartzer Jeanette E. McPherson Schwartzer & McPherson Law Firm 2850 So. Jones Blvd., Suite 1 Las Vegas, NV 89146-5308

Bunch, Dell 1909 Red Robin Court Las Vegas, NV 89134

Russell/AD Development Group, LLC Attn: Robert A. Russell 8585 E. Hartford Dr., Ste. 500 Scottsdale, AZ 85255

Robert L. Hagmaier 15254 Candlewood Court Lake Oswego, OR 97035

Intershow The Githler Center 1258 North Palm Ave. Sarasota, FL 34236

R. Hagmaier c/o Financial West Group 4510 E. Thousand Oaks Blvd. Thousand Oaks, CA 91362

Robert Worthen 1112 Worthen Circle Las Vegas, NV 89145

Robert Hardy 6510 Ansonia Court Las Vegas, NV 89118-1874

Jerry T. McGimsey 3115 S. El Camino Road Las Vegas, NV 89146-6621 Robert Hardy 6510 Ansonia Court Las Vegas, NV 89118-1874

Frank Weinman 2947 Pinehurst Drive Las Vegas, NV 89109

USA CAPITAL FIRST TRUST DEED FUND COMMITTEE

Robert E. Taylor 1535 Flynn Road Camarillo, CA 93012 Robert E. Taylor c/o Chuck Heinrichs 198 El Pajaro Newbury Park, CA 91320 John Warner Jr., IRA C/O First Savings Bank 2605 East Flamingo Rd Las Vegas, NV 89121

John H. Warner, Jr. 2048 North Chettro Trail St. George, UT 84770-5345 Mary Ellen Moro 1009 – 8th Street Manhattan Beach, CA 90266 Richard G. Woudstra Revoc. Trust Richard G. Woudstra Trustee P.O. Box 530025 Henderson, NV 89053

Wen Baldwin Separate Property Trust u/a/d 9/2/97 Wen Baldwin, Trustee 365 Dooley Drive Henderson, NV 89015

John Goings P.O. Box 174 Masonville, CO 80541

Joseph S. Congress 9900 Wilbur May Parkway, #802 Reno, NV 89521-4008

USA COMMERCIAL MORTGAGE CO. EXECUTORY CONTRACTS DIRECT LENDER COMMITTEE Fertitta Enterprises, Inc. 2960 W. Sahara Ave., Suite 200 Las Vegas, NV 89102 William J. Bullard Fertitta Enterprises, Inc. P.O. Box 27555 Las Vegas, NV 89126-1555

Helms Homes, LLC Atn: Terry Helms 809 Upland Blvd. Las Vegas, NV 89107

Terry R. Helms Living Trust 11/94 Atn: Terry Helms 809 Upland Blvd. Las Vegas, NV 89107 Homfeld II, LLC Atn: Edward W. Homfeld 858 Bishop Road Grosse Pointe Park, MI 48230

Arthur Polacheck 2056 Woodlake Circle Deerfield Beach, FL 33442 Dennis Flier, Inc. Defined Benefit Trust Dated 6/29/87 Atn: Dennis Flier 20155 Porto Vita Way, #1803 Aventura, FL 33180

James W. McCollum & Pamela P. McCollum 1011 F Avenue Coronado, CA 92118

REQUEST FOR SPECIAL NOTICE

Don Tomlin c/o David W. Mounier 15316 Sky High Rd. Escondido, CA 92025 Edward M. Homfeld Homfeld II, LLC 777 S. Federal Highway Suite N-409 Pompano Beach, FL 33062

RJ Rocco 12617 Cottageville Lane Keller, TX 76248 Janny Catharina Brouwer 2533 Kinnard Ave. Henderson, NV 89074 Michael R. Shuler c/o Jay R. Eaton Eaton & O'Leary, PLLC 115 Grove Avenue Prescott, AZ 86301

Maryetta Bowman 534 Enchanted Lakes Dr. Henderson, NV 89052 Richard McKnight Esq. Law Offices of Richard McKnight 330 S. Third St., #900 Las Vegas, NV 89101

Margie Gandolfo 1724 Arrow Wood Dr. Reno, NV 89521 Robert R. Kinas, Esq. Meridith J. Strand, Esq. Snell & Wilmer, LLP 3800 Howard Hughes Pkwy, #1000 Las Vegas, NV 89109

Martin A. Weiss, Esq. One Betterworld Circle Suite 300 Temecula, CA 92590

J. Donnolo et al c/o Janet Chubb, Esq. Jones Vargas 100 W. Liberty St., 12th Floor P. O. Box 281 Reno, NV 89504-0281

Peter Bolino 17412 Serene Drive Morgan Hill, CA 95037

Jeffrey G. Sloane Regina M. McConnell Kravitz, Schnitzer, Sloane, Johnson et al. 1389 Galleria Dr., Suite 200 Henderson, NV 89014

Scott K. Canepa, Esq. Canepa, Riedy & Rubino 851 S. Rampart Blvd., #160 Las Vegas, NV 89145

Regina M. McConnell, Esq. Kravitz, Schnitzer, Sloane, et al. 1389 Galleria Dr., Ste. 200 Henderson, NV 89014

Miklos Steuer c/o N. Leatham/J. MacRobbie Kolesar & Leatham, Chtd. 3320 W. Sahara Ave., Ste. 380 Las Vegas, NV 89102

Franklin/Stratford Investment LLC c/o Deaner, Deaner,, Scann et al. Atn: Susan Scann/Paul Connaghan 720 So. Fourth Street, Ste. 300 Las Vegas, NV 89101

John Michelsen/Gary Michelsen c/o Woodburn & Wedge Attn: John F. Murtha, Esq. 6100 Neil Road, Ste. 500 P.O. Box 2311 Reno, NV 89505 Kermit Kruse 2710 Albany Avenue Davis, CA 95616

Vince Danelian c/o Edward J. Hanigan, Esq. 199 N. Arroyo Grande Blvd, #200 Henderson, NV 89074

Attila Jefzenszky 1720 Colavita Way Reno, NV 89521

STAN WOLKEN Send notice to: bayareastan@yahoo.com

Attys/Prospect High Inc. Fund, et al. C. Cunningham/J. Kohl Rawlings Olson Cannon, et al. 9950 W. Cheyenne Ave. Las Vegas, NV 89129

S&J Enterprise Invest. c/o Caryn S. Tijsseling, Esq. Beesley, Peck & Matteoni, Ltd. 5011 Meadowood Mall Way, Ste. 300 Reno, NV 89502

Community Bank of Nevada c/o Donald T. Polednak, Esq. Sylvester & Polednak, Ltd. 7371 Prairie Falcon, Suite 120 Las Vegas, NV 89128

American Express Bank FSB c/o Gilbert B. Weisman, Esq. Becket and Lee LLP P.O. Box 3001 Malvern, PA 19355-0701

Robert Verchota, Gen. Partner c/o R&N Real Estate Inv. LP Attn: Jeffrey A. Cogan, Esq. 3990 Vegas Drive Las Vegas, NV 89108

Jasper Benincasa Jr. Flocerfida Benincasa 9359 Roping Cowboy Avenue Las Vegas, NV 89178 Kelly J. Brinkman, Esq. Goold Patterson Ales & Day 4496 S. Pecos Road Las Vegas, NV 89121

Paul & Donna Jacques 810 SE 7th Street, A103 Deerfield Beach, FL 33441

William L. McGimsey, Esq. 601 E. Charleston Blvd. Las Vegas, NV 89104

Franklin C. Adams, Esq. Best Best & Krieger, LLP 3750 University Ave. #400 P.O. Box 1028 Riverside, CA 92502-1028

Laurel L. Davis, Esq. Lionel Sawyer & Collins 300 S. Fourth St., #1700 Las Vegas, NV 89101

R. Mason/P. Smoots/M. Schmahl McGuire Woods LLP 77 W. Wacker Drive, Ste. 4100 Chicago, IL 60601

Bank of America c/o Scott D. Fleming, Esq. Hale Lane Peek Dennison Howard 3930 Howard Hughes Pkwy. 4th Fl Las Vegas, NV 89109

Rodney Roloff c/o Law Offices Of James G. Schwartz Attn: James G. Schwartz/Joshua D. Brysk 7901 Stoneridge Drive, Ste. 401 Pleasanton, CA 94588

Andrew Welcher
c/o Nordman Cormany Hair & Compton
Attn: William E. Winfield, Esq.
1000 Town Center Dr., Sixth Fl.
P.O. Box 9100
Oxnard, CA 93031
Gordon & Silver, LTD.
Attn: Gerald M. Gordon, Gregory E.
Garman, Talitha B. Gray & Matthew C.
Zirzow, Esq.
3960 Howard Hughes Pkwy, 9th Fl.
Las Vegas, NV 89109

Sean Najarian, Esq. The Najarian Law Firm 283 S. Lake Ave., Suite 205 Pasadena, CA 91101

OTHER PARTIES:

Nevada Mortgage Lending Div. Attn: Susan Eckhardt 3075 E. Flamingo #100 Las Vegas, NV 89121

U.S. Securities & Exchange Comm. Attn: Sandra W. Lavigna. 5670 Wilshire Blvd., 11th Floor Los Angeles, CA 90036-3648 Pension Benefit Guaranty Corp. Office of the Chief Counsel 1200 K Street N.W. Washington, D.C. 20005-4026 DMV and Public Safety Records Section 555 Wright Way Carson City, NV 89711-0250

NV Dept. of Taxation Bankruptcy Division 555 E. Washington #1300 Las Vegas, NV 89101 Secretary of State State of Nevada 202 N. Carson Street Carson City, NV 89701 Office of Labor Commissioner 555 E. Washington Ave. Suite 4100 Las Vegas, NV 89101

U.S. Securities & Exchange Comm. Atn: Sarah D. Moyed, Esq. 5670 Wilshire Blvd. Ste. 1100 Los Angeles, CA 90036-3648 Dept. of Employment Training Employ. Sec Div. Contribut. Sec. 500 East Third Street Carson City, NV 89713-0030 Employers Ins. Co. of NV Atn: Bankruptcy Desk 9790 Gateway Drive Reno, NV 89521-5906

IRS Atn: Bankruptcy Dept. Stop 5028 110 City Parkway Las Vegas, NV 89106

NV Dept. of Taxation Revenue Division Capitol Complex Carson City, NV 89710-0003

U.S. Attorney District of Nevada 323 Las Vegas Blvd. So. #5000 Las Vegas, NV 89101

U.S. Dept. of Justice Tax Div. – Western Region P.O. Box 683 Ben Franklin Station Washington D.C. 20044

IRS Ogden, UT 84201 Dept. of Veterans Affairs Loan Service and Claims 3225 North Central Phoenix, AZ 85012

Clark County Assessor c/o Bankruptcy Clerk P.O. Box 551401 Las Vegas, NV 89155-1401 District Counsel IRS 110 City Parkway Las Vegas, NV 89106

FHA/HUD District Office 333 N. Rancho Dr., #700 Las Vegas, NV 89106-3797

Clark County Treasurer c/o Bankruptcy Clerk P.O. Box 551220 Las Vegas, NV 89155-1220

Kurt Hunsberger 3500 Lakeside Court, #200 Reno, NV 89520 Candace C. Carlyon, Esq. Shea & Carlyon, Ltd. 233 S. Fourth St., Suite 200 Las Vegas, NV 89101

Thomas Fell/Matthew Zirzow Gordon & Silver, Ltd. 3960 Howard Hughes Pk., 9th Fl. Las Vegas, NV 89109

Robert C. LePome, Esq. 330 So. Third St., Ste. 1100B Las Vegas, NV 89101 Nicholas J. Santoro 400 S. Fourth St., 3rd Floor Las Vegas, NV 89101

Jed A. Hart Angelo, Gordon & Co. 245 Park Avenue, 26th Floor New York, NY 10167

Bradley J. Stevens 3300 N. Central Avenue Phoenix, AZ 85012 CiCi Cunningham/James A. Kohl Christine Roberts Rawlings, Olson, Cannon, et al. 9950 West Cheyenne Ave. Las Vegas, NV 89129

Case 06-10725-gwz Doc 640 Entered 06/13/06 17:24:07 Page 8 of 8

Gerald Gordon/Thomas Fell Gordon & Silver, Ltd 3960 Howard Hughes Pkwy., 9th Fl, Las Vegas, NV 89109

Gregory J. Walch 400 S. Fourth St., 3rd Floor Las Vegas, NV 89101

Allison Mackenzie Russell, et al. Joan C. Wright 402 N. Division St. P.O. Box 646 Carson City, NV 89702

Kevin B. Christensen Chtd c/o Kevin B. Christensen Xanna P Hardman 7440 W. Sahara Ave. Las Vegas, NV 89117

Susan Williams Scann
Paul R. Connaghan
Deaner, Deaner, Scann, Malan & Larsen
720 South Fourth St., Suite 300
Las Vegas, NV 89101

Thomas R. Brooksbank Brooksbank & Associates 689 Sierra Rose Dr., Suite A-2 Reno, NV 89511

Rob Charles, Susan M. Freeman Lewis and Roca, LLP 3993 Howard Hughes Parkway, 6th Floor Las Vegas, NV 89109 Peter Susi, Esq. Michaelson, Susi & Michaelson Seven W. Figueroa St., 2nd Floor Santa Barbara, CA 93101

Greg Garman 3960 Howard Hughes Pkwy 9th Floor Las Vegas, NV 89109

Bolick & Boyer Erven Nelson/Robert Bolick 6060 W. Elton Ave., Suite A Las Vegas, NV 89107

Marc A. Levinson Lynn Trinka Ernce Orrick, Herrington & Sutcliff, LLP 400 Capital Mall, Suite 3000 Sacramento, CA 95814

William D. Cope Cope & Guerra 595 Humboldt Street Reno, NV 89509-1603

Russell James Zuardo 1296 High Forest Avenue Las Vegas, NV 89123 Bay Communities c/o Chris El 4800 No. Federal Hwy., Ste. A205 Boca Raton, FL 33431

George Gorman c/o Financial West Group 4510 E. Thousand Oaks Blvd. Thousand Oaks, CA 91362

Callister & Reynolds Matthew Q. Callister 823 Las Vegas Blvd. South Las Vegas, NV 89101

Howard Connell 1001 Jennis Silver Street Las Vegas, NV 89145

Thomas & Stilly, Sussman, Shank, LLP 1000 SW Broadway, Suite 1400 Portland, OR 97205-33089

John Peter Lee, Ltd. John Peter Lee, Esq. 830 Las Vegas Blvd., South Las Vegas, NV 89101s